

UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK (MANHATTAN)

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In re

CACH, LLC,

Debtor.

Case No. 17-10663-jlg  
Chapter 11

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STIPULATION TO WAIVE AND ANNUL THE AUTOMATIC STAY  
AS TO PROPERTY LOCATED AT S45W34379 RUE PARC, DOUSMAN, WISCONSIN

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WHEREAS, CACH, LLC ("Debtor") holds a money judgment against Joseph Rewolinski in Wisconsin State Court Waukesha County Case No. 2013-SC-3961; and,

WHEREAS, on November 4, 2014, the first mortgage holder, Wells Fargo Bank, NA, filed a foreclosure action against Joseph and Sharon Rewolinski with regard to homestead property located at S45W34379 Rue Parc, Dousman, Wisconsin ("the property"), Wisconsin State Court Waukesha County Case No. 2014-CV-2203, in which Debtor was named as a junior lien holder due to its money judgment; and,

WHEREAS, a Judgment of Foreclosure was entered on May 22, 2015; and,

WHEREAS, a Sheriff's Sale was held on March 15, 2017, at which time Bank Mutual, the second mortgage holder, was the successful bidder; and,

WHEREAS, the Sheriff's Sale was confirmed on March 31, 2017 before the Honorable Maria S. Lazar, Circuit Court Branch 7, Waukesha County, Wisconsin, with no surplus available, and the Sheriff's Deed was recorded with the Waukesha County Register of Deeds on April 27, 2017, as Document No. 4274009; and,

WHEREAS, Debtor filed its Chapter 11 petition in bankruptcy on March 19, 2017; and,

WHEREAS, as a result of the bankruptcy filing, an automatic stay took effect; and,

WHEREAS, the filing of the bankruptcy and the implementation of the automatic stay would have prevented the Sheriff's sale from being confirmed and the Sheriff's Deed from being recorded; and,

WHEREAS, Debtor understands that if the terms of the automatic stay were to remain in force, Bank Mutual would move for relief from the automatic stay and upon receiving an order for relief or upon discharge of Debtor's bankruptcy, reschedule the confirmation of sheriff's sale; and,

WHEREAS, the parties are desirous of resolving these issues.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

1. The automatic stay, as it applies to the property located at S45W34379 Rue Parc, Dousman, Wisconsin, is waived and annulled.
2. Debtor releases Bank Mutual from any claim or action it may have against Bank Mutual for any alleged violation of the said automatic stay.

Dated: 7/24/17

Mitchell L. Williamson  
\*\*\* Mitchell L. Williamson, Esq  
Attorney for Debtor

Dated: 7/24/17

Matthew E. Carlton  
Matthew E. Carlton  
Attorney for Bank Mutual

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ORDER

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Upon the files, records, and proceedings heretofore had, and upon the Stipulation of the parties filed with this proposed Order:

IT IS HEREBY ORDERED,

1. That the automatic stay imposed herein as to the property located at S45W34379 Rue Parc, Dousman, Wisconsin, pursuant to Sec. 362(a) of the Bankruptcy Code, is hereby annulled, effective March 19, 2017.
2. That Bank Mutual is hereby released from any claims or actions the Debtors may have against the Bank.
3. That all other terms and conditions of the said Stipulation are hereby approved and incorporated by reference into this Order.

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